

STATE OF MONTANA  
FOURTH JUDICIAL DISTRICT  
Department No.1  
MISSOULA & MINERAL COUNTIES

EXHIBIT 6  
DATE 2-6-09  
HB 2



CHAMBERS OF THE  
HONORABLE ED McLEAN

COLLEEN WILLIAMSON  
COURT REPORTER

MISSOULA COUNTY COURTHOUSE  
200 West Broadway St.  
Missoula, MT 59802-4292  
(406) 258-4771  
Fax: (406) 258-3456  
jmclean@mt.gov

February 5, 2009

Mr. Chairperson and Members of the Judicial Branch, Law Enforcement and Justice Appropriations Subcommittee:

I have been sitting on the bench for the last 20 years. During that period of time, we have made some tremendous strides in improving the system of delivering services to the litigants that come before the Courts. However, none of those services are more important than alleviating the fear and anxiety that lay people experience when they come before the Courts.

The Self-Help Program gives people the assurance that they are proceeding properly with the correct forms, which incorporate the relevant law. These same forms have been reviewed by the judges who know that if the forms are filled out, that the requisites of the law have been met. The importance of this cannot be overstated. One can imagine the fear and apprehension that a pro se litigant has when coming into Court, being administered an oath, and then testifying. When they have a diagram (the **self help forms**), they know what to expect.

When we help and educate the lay people who have no funds to hire legal counsel, we increase the respect those individuals have for the judicial system. The **SELF HELP PROGRAM** is of great assistance to those without funds or assets. The program not only helps the pro se litigant, it also alleviates the time required of the Clerks of Court, and of the judiciary, in knowing that "all the bases are covered."

I would respectfully request your continued support for this crucial service that is being provided for the pro se litigants of our respective communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed McLean', with a stylized, cursive script.

Ed McLean  
District Judge



STATE OF MONTANA  
FOURTH JUDICIAL DISTRICT  
MISSOULA AND MINERAL COUNTIES  
DEPARTMENT 2

ROBERT L. DESCHAMPS, III  
JUDGE OF THE DISTRICT COURT

MISSOULA COUNTY COURTHOUSE  
200 WEST BROADWAY  
MISSOULA, MT 59802-4292  
(406) 258-4772  
ddeschamps@mt.gov

Dear Members of the Judicial Branch,  
Law Enforcement, and Justice Appropriations Subcommittee:

Please accept my strong endorsement for continued funding for Montana's legal self-help centers. When I started my legal career 40 years ago, very few people attempted to represent themselves in legal matters. Those who did tended to be on the fringes of society. Over time, this has changed and today, the Missoula Clerk of Court's office reports that, in over 60-percent of family law cases, at least one party has no legal representation.

The paperwork involved in a typical divorce or custody matter can be overwhelming. The growing number of self-represented parties puts tremendous pressure on the courts because court personnel have to wade through piles of often incomplete paperwork, ensuring that everything from child support calculations to division of property is complete. Prior to the opening of our own Missoula Family Law Self-Help Center, I was forced to spend a great deal of my own time on the bench going through disorganized and incomplete pleadings to ensure that, in particular, the best interests of the children were satisfied and that fair and equitable settlements had been reached. Requiring highly paid and busy judges to do this is not an efficient use of public resources.

The self-help centers greatly alleviate this situation. Legal materials coming from self-help centers are properly done. Non-judicial staff help litigants with procedural questions. In Missoula, this has streamlined the operation of the courts and has allowed us to efficiently cope with increasing caseloads without having to ask the legislature for more judges.

These are very difficult financial times. As cases continue to increase, so will the number of people attempting to navigate the legal system on their own because they are indigent. Somebody is still going to have to help these people whether self-help centers continue to exist or not. We can go back to using judges at \$106,000, plus, per judge to do it, or we can continue to use much cheaper self-help centers.

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Deschamps, III".  
Robert L. Deschamps, III  
District Judge

STATE OF MONTANA  
FOURTH JUDICIAL DISTRICT  
MISSOULA AND MINERAL COUNTIES  
DEPARTMENT 4

DOUGLAS G. HARKIN  
JUDGE OF THE DISTRICT COURT

MISSOULA COUNTY COURTHOUSE  
200 WEST BROADWAY  
MISSOULA, MT 59802-4292  
(406) 258-4774



February 5, 2009

Mr. Chairperson and Members of the Judicial Branch,  
Law Enforcement, and Justice Appropriations Subcommittee:

Please accept my personal endorsement for funding of the Montana Legal Self-Help Centers. I have been a district court judge in Missoula and Mineral Counties for 28 years. Over the years, I have encountered many people who simply cannot afford legal counsel and need to represent themselves in Court. The paperwork and procedures can be overwhelming to a person inexperienced with the law.

The Montana Legal Self-Help Centers are very important in helping persons representing themselves to have the proper paperwork completed and follow the correct legal procedures.

Sincerely,

A handwritten signature in cursive script that reads "Douglas G. Harkin".

Douglas G. Harkin  
District Judge

DGH/ps

Amy S. Rubin  
Attorney at Law

P.O. Box 8342  
Missoula, MT 59807  
(406) 541-4141

February 5, 2008

TO: Chairperson and Members of the Judicial Branch, Law Enforcement and  
Justice Appropriations Subcommittee

FROM: Amy Rubin

RE: Need for continued funding of Self-Help Law assistance programs

Please accept my strong endorsement for continued funding for Montana's legal self-help centers. These centers provide critical assistance for low to mid-income Montanans to navigate the legal system successfully. Many people in Montana cannot afford to pay an attorney \$100 an hour for help completing forms for divorces and parenting plans.

Having help and advice can mean the difference between a functioning parenting plan, including child support, and no plan at all.

I worked as a Montana Legal Services attorney for six years, and it is clear that there is a great unmet need for legal advice and assistance in this state. Since MLSA only serves people at or below 125% of the federal poverty guidelines, this leaves a lot of other folks without any help at all. It is because of this need that I have been volunteering my time since 2007, first working to help prepare forms and instructions, and then by providing pro bono legal assistance and advice to litigants in the Self-Help Center. The people I am helping simply cannot afford a lawyer. If we do not provide this assistance then these folks may choose not to even try to use the legal system, or may attempt to muddle through on their own.

It is a burden on the Court system and the judges to try to administer justice when people come to court unprepared and without any knowledge of what to expect or what is expected of them. Providing funding for these centers reduces the cost to the state in lost time with the judges, clerks, and other court administrators.

I hope that the State of Montana will continue to help these people access the justice system—and help the system by reducing the burden of unassisted people attempting to access the system.

Thank you for providing this funding in the past, and for your efforts to continue to fund these projects.

Signed:

Amy S. Rubin



eliminating racism  
empowering women

**ywca**  
missoula

YWCA Missoula  
1130 W. Broadway  
Missoula, MT 59802

T: 406-543-6691  
F: 406-543-6777  
[www.ywcaofmissoula.org](http://www.ywcaofmissoula.org)

February 2, 2009

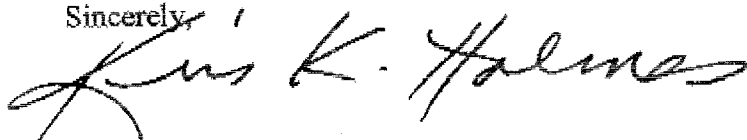
To Whom It May Concern:

My purpose in writing to you is to strongly urge you to fund the Missoula Self-Help Law Center. I am the Associate Director of the YWCA, where we provide comprehensive services for survivors of domestic and sexual violence. Survivors face numerous barriers when they make the brave and difficult decision to leave a violent relationship, including the overwhelming process of filing for divorce.

Prior to the Missoula Self-Help Law Center, survivors wanting to petition for divorce, would struggle through the complicated paperwork on their own and often times present to the judge incorrect or incomplete information, causing frustration for everyone. Often survivors would be intimidated by the system and the complications and never follow through with the divorce petition.

The Missoula Self-Help Law Center has helped reduce barriers for survivors by being available to support them through the paper work process, make appropriate referrals, and help them understand the legal process and system. On behalf of the YWCA Missoula, I urge you to please consider funding of this essential service.

Sincerely,



Kris Holmes  
Associate Director  
YWCA Missoula  
1130 West Broadway  
Missoula, MT 59801  
(406) 543-6691  
[kholmes@ywcaofmissoula.org](mailto:kholmes@ywcaofmissoula.org)

Ann Steffens  
810 Walnut Ave  
Missoula, Montana 59801

Members of the Judicial Branch, Law Enforcement and Justice Appropriations Subcommittee  
Montana State Legislature  
Helena, Montana 59620

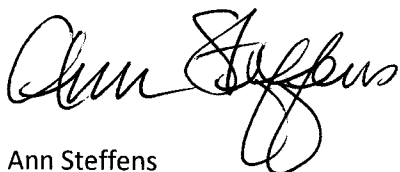
RE: Continued Funding for Self Help Law Program

I am writing as a private citizen who works for Montana's state government in the Child Support Enforcement Division of the Department of Public Health & Human Services. My position brings me in touch with hundreds, perhaps thousands of Montana citizens each year who need assistance with legal matters, primarily child support. While opening a case with the CSED is the answer for many of these folks, there are a significant number who need help with legal issues beyond child support, such as changes in custody or parenting time, blocking visitation with a parent, as well as separations and dissolutions.

For years (almost 20), I have had little in the way of resources to which I could refer people who ask for help; people who need legal assistance but cannot afford to hire an attorney. I was limited to web sites and telephone numbers where a person might be able to find some helpful information. The self-help law centers that have opened up in the past year in Montana are providing a real person to whom people can be referred and who is familiar with forms. Many times I have heard the complaint about an overwhelming number of forms and no way to be sure which ones to use. Now there is someone in multiple locations around the state who can answer questions or find answers from the resources that support these centers which is another major advantage of the program: making use of the pool of knowledge of private attorneys, Clerks of Court, Judge's assistants, and so on, to help people who need it through the centers.

If the self-help law program is not funded by this legislature, it will be a missed opportunity to build on the foundation established this past year. This program is the best hope for helping people who need legal assistance but cannot afford to hire an attorney that has come along in a long time.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Steffens", with a stylized, flowing script.

Ann Steffens

February 5, 2009

Members of the Judicial Branch, Law Enforcement and Justice Appropriations Subcommittee:

I am writing to urge you to continue funding for Missoula's Family Law Self-Help Center. For the past three years, I have been involved in programs which assist low-income families in Missoula. As a social worker for the State of Montana, I helped recipients of Temporary Assistance to Needy Families (TANF) with life skills and problem solving. In this capacity, I observed much need for the service that the Self-Help Center provides.

Each month, I would provide case management to approximately 30-50 individuals. In my office there were 10 case managers providing the same services to their additional clients. Of these clients, I could estimate that half were in the process of attempting their own dissolution or parenting plan, respondents in the same type of case, or dealing with the consequences of court orders that were done inappropriately because they were done pro se. Before the Self-Help center was developed, these clients had extremely limited assistance. The frustration my clients experienced was limitless. Already in a dire situation due to their economic circumstances, they were terrified of losing what they did have to a vengeful spouse, or that they might not be able to see their children because they had no representation or idea of how to navigate the court system.

The Self-Help center provides these individuals with concrete tools and immediate assistance. This is not a perk, but an absolutely necessary and required element of the judiciary. Now, as a law student and volunteer at the Self-Help center, I am amazed at what little it takes to provide these previously frustrated clients with a simple understanding of the process of family law. To each client, it is not just information; it is the power to free themselves from an abusive spouse, to demand visitation of their children, and to have a voice where they thought they could have none.

Please realize the assistance the Self-Help center provides and continue your support.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Meri Walton', written in dark ink.

Meri Walton

Self-Help Center volunteer



To Whom it May Concern:

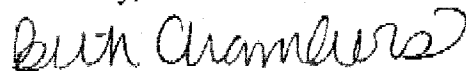
As a first year law student at the University of Montana, I have volunteered for the Family Law Self Help Center since September. I am amazed at how many different types of people come to the center needing assistance. People as young as 20 and as old as 55, come with questions concerning everything from child custody to car accidents. Most are scared, confused, and distraught over the possibility of dissolution. Others worry they will lose custody of their children.

The Center takes a huge burden off of judges, who are forced to babysit the paper work process. The need for free legal services is overwhelming. The average cost for an attorney to take a Dissolution of Marriage case in Missoula is \$5,000. The Center allows people to obtain the correct paperwork and have it complete before they have there day in court.

Volunteers for the Center had the opportunity to go to the Mountain Home Montana to give a presentation on child custody and child support issues. The girls at the home were in their middle to late teens having opted to have their baby. There were issues of domestic violence between the mother and father as well as inability to locate the father. The girls wanted to know what options were available to gain full custody of their child and receive child support from the father. Many girls thought going to court would be a losing battle and extremely scary especially when child custody is involved. Others were completely overwhelmed at the idea of starting the paperwork process. Volunteers can explain the system, helping people to feel more secure in asking for legal intervention.

The Family Law Self Help Center is wonderful. It takes a burden off of the system as well as furthering the concept of expediency with in the system. When a judge has to reschedule someone because they did not understand how to fill their paperwork out, it weighs the system down. Please keep this center open and help those that need assistance navigating the legal landscape.

Sincerely,



Beth Chambers

## KATHARINE A. RIKER

923 Stoddard Street  
Missoula, Montana 59802

406-493-1869  
KateRiker@gmail.com

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February 4, 2009

To the Members of the Judicial Branch, Law Enforcement and Justice Appropriations Subcommittee:

I write this letter in support of continuing the funding for the Missoula Family Law Self-Help Center. I am a first year law student at the University Montana School of Law and as part of the Women's Law Caucus, I have been volunteering at the Self-Help center since last fall.

The Missoula Family Law Self-Help center provides a valuable and necessary service to people already going through a difficult time. Dissolution paper work can be intimidating and difficult to understand for those who are not represented by an attorney. The Self-Help Center provides much needed assistance in this area and helps people to help themselves. The Center is well used and every time I have volunteered there is has been very busy. It comforts people to have someone help them through the process of filling out the forms.

Please approve funding to keep the Family Law Self-Help center open and providing this valuable service to the people of Missoula and Mineral Counties.

Sincerely,

*Katharine Riker*

Katharine Riker

Dear Sir or Madam,

The Missoula Family Law Self Help Center (MFLSHC) is truly an invaluable resource not only for struggling families but also for aspiring lawyers. I am a first year student at the University of Montana School of Law and have been volunteering my time at the center during my first semester. This has been my first hands-on experience dealing with the law. I have learned so much volunteering at the center that I never could have learned in the classroom. Just being in the court house and handling the forms involved in a dissolution or child custody matter teaches a student so much about the judicial process. Not only is this experiential learning invaluable it also inspires. The ability to help the people that walk through the help center door reinforces for many students why they came to law school in the first place, to help.

The people that come to the help center are in need of direction. They are going through a time in their life that certainly is not easy and suddenly they are faced with a monstrous pile of forms and countless court fees. The MFLSHC is there to answer questions and reassure these people. This resource certainly expedites the judicial process for everyone. If the MFLSHC was not in place many of the people standing in front of a judge for the first time would have half completed forms, and have no concept of understanding the judicial process. Giving guidance to these people takes up the valuable time of the judge or the clerk of court. The MFLSHC is beneficial for citizens of Missoula county, law students, and the judicial process alike. This resource is certainly worthy of funds to continue its existence.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Fales". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melissa Fales

Feb. 2, 2009

To Whom it may concern;

I would like to commend all the people working for the Family Law Self Help program. I have been ~~too~~ having difficulty with a sensitive situation that highly requires some legal attention and help. I came in to respond to two motions I received, and the people here gave me more answers and guidance in 3 1/2 - 4 hrs than I have received from Montana Legal Services Association since July, 2008.

Thank you! Thank you! Thank you!  
Please do not close their doors - we need them here!

Sincere Appreciation,  
Sharon Stevens

Sharon Stevens

Missoula County - Fourth Judicial District Court

Department: Fourth Judicial District Court

Home » Pro Se Dissolution Packet D












District Court - Pro Se Dissolution Packet D

The following forms are available in either Microsoft Word or Adobe's Portable Document Format (PDF). The default format will be in Portable Document Format so if you want the Word format you will have to click on the Microsoft Word icon in the far right column.





















The Microsoft Word documents can be saved to your hard drive and can allow you to fill out the questions on your computer rather than printing it out and handwriting all your information.

Please read the documents in the first table because these will help you throughout the process and it will help keep your documentation organized. There are some links to web pages within the tables but this will be indicated by the words "link to web page" following the links.

Packet D - Important Documents - Please Read First

Description	PDFWORD
Worksheet - A check-off sheet to help keep you organized	 
What to Expect - An Overview of Divorce and Custody in Montana	 
Tips for Your Day in Court - Helpful information on how to conduct yourself in the courtroom setting	 
Contents - Describes the contents of the Packet	 
Instructions - Detailed instructions to help you through the process	 
Download the entire Packet D in Portable Document Format	 --

Back to Forms Page

Form	Name of Packet	Description	PDFWORD
Form 54	Affidavit of Inability to Pay		 
Form 54	Order on Inability to Pay Filing Fees and Other Costs		 
Form 55	Response to Petition for Dissolution (without children)		 
Form 56a	Respondent's Preliminary Declaration of Disclosure		 
Form 56b	Respondent's Notice of Service of Preliminary Declaration		 
Form 57a	Marital and Property Settlement Agreement		 
Form 57b	Status Report to the Court		 
Form 58a	Respondent's Final Declaration of Disclosure		 
Form 58b	Respondent's Notice of Serving Final Disclosure		 
Form 59	Consent to Entry of Final Decree		 

DISCLAIMER

Documents are not legal advice. These documents are adaptations of the documents distributed by the Montana Supreme Court Commission on Self-Represented Litigants and have been approved by the Judges of the 4th Judicial District. These documents do not constitute legal advice, and no information contained in these documents can be

PACKET "D"

Response to Dissolution  
(Without Children)

"WORKSHEET"

- \_\_\_\_\_ Form 54.     Affidavit of Inability to Pay
- \_\_\_\_\_ Form 55.     Response to Petition for Dissolution (without  
   children)
- \_\_\_\_\_ Form 56a.     Respondent's Preliminary Declaration of  
   Disclosure
- \_\_\_\_\_ Form 56b.     Respondent's Notice of Service of Preliminary  
   Declaration
- \_\_\_\_\_ Form 57a.     Marital and Property Settlement Agreement
- \_\_\_\_\_ Form 57b.     Status Report to the Court
- \_\_\_\_\_ Form 58a.     Respondent's Waiver of Final Disclosure
- \_\_\_\_\_ Form 58b.     Respondent's Final Declaration of Disclosure
- \_\_\_\_\_ Form 58c.     Respondent's Notice of Serving Final Disclosure
- \_\_\_\_\_ Form 59.     Consent to Entry of Final Decree

Reviewed: \_\_\_\_\_  
   (date)

by: \_\_\_\_\_  
   (initials)

## What to Expect: An Overview of Divorce and Custody in Montana

1. Under Montana law, a divorce is called a "dissolution of marriage."
2. If you were never married but had children together, you will need a "parenting plan." This is the term used for custody proceedings.
3. You can only file for a parenting plan or a dissolution (which includes a parenting plan if you had children together) if Montana has jurisdiction. Generally, Montana has jurisdiction if the child has lived in Montana for at least six consecutive months immediately before filing your case. If the child is younger than six months old, the child must have lived in Montana since birth. For other circumstances, such as in cases where an emergency exists or the child has been abandoned in Montana, see the forms in the packets.
4. To get divorced in Montana, one of the spouses must have lived in Montana for at least 90 days. The proper Montana court to file your case in is located in the county where either you or your spouse have resided during the 90 days prior to filing your case. In addition,
  - a. You and your spouse must have lived separately and apart for a period of more than 180 days before filing for dissolution; **OR**
  - b. There are serious problems that affect your attitude(s) towards the marriage with no reasonable chance of reconciling.
5. Getting divorced is a lot more complicated than getting married and it can take several months before your divorce is final. If you are in agreement on all issues, filing a "joint petition" will speed up the process.
6. If you have property (real estate, automobiles, debts, etc.) or children, the divorce will be more complex. It helps if you and your spouse agree about the issues involving the property and the children.
7. It costs money to get divorced. There are court fees, copying costs and "service of process" costs. If you believe you cannot afford to pay the court fees, follow the instructions in the packet for the "Affidavit of Inability to Pay" which, upon review by a Judge, may result in all or part of your fees being waived.
8. If there are children involved, you will be required to attend Parenting Plan Orientation, a mandatory 90-minute program that provides an overview of community resources available to assist parents and children through the process of separation and divorce.

## THE PAPERWORK

There is a lot of paperwork involved in getting divorced and there are rules and deadlines to follow in preparing the papers. Some of the documents in a divorce and/or custody case are:

1. Summons and Petition

In Montana, unless you file a Joint Petition (Packets A or B), one spouse (called the "Petitioner") must start the divorce by writing a Summons and Petition and "serving" it on the other spouse (called the "Respondent"). See instructions in packets for specific rules for how to serve the documents.

2. Response

The spouse who received the Summons and Petition must read the documents and decide how to respond. If the spouse disagrees, the spouse writes and serves a Response.

3. Service of Process: If the other person in your case will not sign an Acknowledgment form saying they received the court papers, then you will have to pay to have the Sheriff or another person not connected to the case deliver the paperwork and sign a form saying that they delivered the papers to the other party.

4. Status Report to the Court, Mediation and Court Orders

If you indicate you and your spouse cannot agree in the "Status Report and Request for Court Action" form, the Court may issue an Order for a hearing to help resolve the problem. You may also be ordered to attend an "Intervention Conference" with a Standing Master or to attend mediation.

5. Final Divorce Document

The official name of your final divorce document is Findings of Fact, Conclusions of Law, and Final Decree of Dissolution. Once this document has been signed by a Judge, it is "entered" by the Clerk of Court as the Final Decree.

### GOING TO COURT

1. Where to go? This Missoula County Courthouse is located at 200 West Broadway, Missoula, MT. It's open Monday – Friday, 8:00 AM to 5:00 PM and is closed on all major holidays. To get to the courthouse, find the 200th block of West Broadway in the downtown area of Missoula. If you need driving directions, try visiting Google Maps at <http://maps.google.com>. They have a place where you can get driving directions to the courthouse from any location. If you need further assistance, please call the courthouse at 406-721-5700.

2. How often? The number of times you go to Court to see a Judge or Standing Master depends a lot on whether you and your spouse can agree on issues regarding your children, property and other matters. If you don't agree, things usually take longer to get resolved.

3. Courtroom Behavior. Appearing in court is a very important part of any legal case, and all parties are expected to arrive early, dress properly, and act respectfully. See Tips for Your Day in Court.



## TIPS FOR YOUR DAY IN COURT

1. Don't Miss Your Court Date. Court is not an appointment that can be missed or rescheduled. If you don't show up, you will likely lose the case by default. If you have a serious reason why you cannot go to court on the assigned day, call the Judge's clerk at the Clerk of Court's office. Usually you need to file papers requesting a change, or get the other side to agree to change the date.
2. If you are the Respondent in a case (someone else started the case) and you agree with the other side's requests or don't have any defense, you may think there is no point in going to court. Not going can be dangerous because you might not fully understand everything that can or will be ordered in your absence.
3. Allow Plenty of Time to Get to Court. You should arrive at the courtroom 30 minutes before your hearing time. Consider the traffic, weather, parking or frequency of the bus and allow plenty of extra time. You are not allowed to carry any weapons in the courthouse.
4. Bring your files. You should have a file with copies of all papers you and the other side have filed with the court, or given to each other.
5. Dress nicely and take your hat off.
6. Do not bring children. Unless the court has told you to bring your children to the hearing, make arrangements for someone to take care of your children if possible.
7. Proper conduct in the courtroom. Certain behaviors are not allowed because they are noisy, distracting or disrespectful. You cannot: chew gum, eat, read a newspaper, sleep, wear a hat, listen to earphones, carry a cell phone or pager unless it's turned off, have a camera or camera phone, or carry a weapon.
8. During the hearing you should listen carefully, ask permission of the Judge to speak, talk directly to the Judge and not the other side, avoid arguing with or interrupting another person, and control your emotions. When you talk to the Judge, start by saying "Your Honor". Speak loudly and clearly and remember that only one person can speak at a time.
9. Before you leave court make sure you understand what happens next. Do you need to come back for another court hearing? Do you need to take other steps or actions? Will the Judge make an order as a result of the hearing? Politely ask questions if you do not understand what will happen next.

# PACKET “D”

## Response to Dissolution (Without Children)

- Form 54. Affidavit of Inability to Pay
- Form 55. Response to Petition for Dissolution (without children)
- Form 56a. Respondent's Preliminary Declaration of Disclosure
- Form 56b. Respondent's Notice of Service of Preliminary Declaration
- Form 57a. Marital and Property Settlement Agreement
- Form 57b. Status Report to the Court
- Form 58a. Respondent's Final Declaration of Disclosure
- Form 58b. Respondent's Notice of Serving Final Disclosure
- Form 59. Consent to Entry of Final Decree

### DISCLAIMER

**Documents are not legal advice.** These documents are adaptations of the documents distributed by the Montana Supreme Court Commission on Self-Represented Litigants and have been approved by the Judges of the 4<sup>th</sup> Judicial District. These documents do not constitute legal advice, and no information contained in these documents can be relied upon to replace the advice of competent legal counsel licensed to practice in Montana.

(Revision Date: 10/07)

# INSTRUCTIONS & CHECKLIST

## PACKET "D" -- RESPONSE

### DISSOLUTION WITHOUT CHILDREN

**NOTE:** If an Order of Protection has been issued by the Justice Court or Municipal Court, see Pro Se Packet K for instructions on how to transfer the Order of Protection to District Court.

#### I. THE DIVORCE ("Dissolution") PROCESS ---- RESPONDING:

There are LOTS of forms that will need to be completed. Take it step-by-step-- in order -- and it should make it easier for you. On the top half of the first page of every court document there is a "**heading**" which identifies the party completing the form and a "**caption**" which sets out the case description. Fill out the heading and caption on every form.

You, the "**Respondent**," have been served with divorce papers. You have a couple of options:

- ☐ **Respond within 20 days** - by filling out the enclosed documents, sending copies to your spouse, and filing the original documents with the Clerk of Court. By responding, you will have the opportunity to present your proposals for property division, child custody and support issues to the Court.
- ☐ Do nothing. If you agree with what your spouse has stated and requested in the Complaint and you do not wish to object or respond, the dissolution will be granted by default. **[IF YOU DO NOTHING, YOUR SPOUSE MAY BE AWARDED ALL THAT HE/SHE REQUESTED.]** After a default hearing is over, you will be served with a copy of the Final Decree.

#### STEP 1. -- Accepting Service.

- ☐ Form #40a Included with the papers served upon you is Form 40a - Notice and Acknowledgment of Receipt of Summons and Petition. Fill out this form. Complete page 3 and sign **before a notary public** to verify that you received the documents. **If you fail to sign and return this form to your spouse, the Sheriff will need to deliver the same papers to you. You may be required to pay the Sheriff's cost for this service. Once you have signed and returned this form, you must file your response in 20 days or a default will be entered against you.**

#### STEP 2. -- Filling Out The Forms

**Note:** You may want to use a pen with blue ink so you know which are the originals.

- ☐ Form #55 Each row corresponds with a paragraph in the Petition that was filed by your spouse. Fill in every row stating whether you agree or disagree. If you disagree, give your reason. Sign page 3 and 4 in front of a notary public.
- ☐ Form #56a Complete. Sign on page 6 in front of a notary public.
- ☐ Form #56b Complete and sign.

#### STEP 3. -- Making Copies

- ☐ Make 2 copies of Forms 40a, 55, 56a and 56b. One copy will be for your own personal records. The others you will need for the following steps.

#### STEP 4. -- Filing Response With Clerk of Court.

- ☐ Bring the originals and two copies of every form filled out in Step 2 to the Clerk of District Court's Office for filing.

- ☐ \$70.00 Fee -- cash/money order/personal check (subject to change). If you cannot afford the fee, fill out and submit Form 54 "Affidavit of Inability to Pay." If the Judge decides you cannot afford to pay the filing fee, your fees may be waived in whole or in part.
- ☐ The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies. One set is to be retained by you. One copy is for service upon your spouse.

#### STEP 5. -- Serving the Other Party.

You now need to serve the copies of documents you have prepared on your spouse. Mail or personally deliver the documents to your spouse. **NOTE:** If there is a TOP or Order of Protection that prohibits you from contacting your spouse, service of these documents must only be done by mail. You must not personally deliver these documents to your spouse.

## II. SETTLEMENT OF PROPERTY

#### STEP 6. -- Can you agree??

- ☐ Form 57a If you and your spouse can agree on the division of property, work together completing this form. (Spouse also has the same form labeled 41a. Either form can be used) Both parties need to sign page 7 in front of a notary public. Make 2 copies and file original with the Court.
- ☐ If you have reached agreement with your spouse and filed either Form 41a or Form #57a (Settlement Agreement) you will be notified of the hearing date for the final decree of dissolution.
- ☐ Form #58a Complete and sign. Mail copy to spouse.
- ☐ Form #58b Complete and sign. Mail copy to spouse. **You may file either #58a or #58b, or both, with the Clerk of Court. The choice is yours.**

#### STEP 7. -- If you don't agree . . .

- ☐ Form 57a If you cannot agree on the division of property, complete this form stating how you want the property divided, and send a copy to your spouse stating this is your proposal for dividing the property. Do not file a copy with the Court unless your spouse agrees and signs
- ☐ Form 57b If you cannot thereafter come to an agreement, complete this form and request a hearing be set for the Court to decide the issues.
- ☐ If you have filed Form #57b or your spouse filed Form 41b (Request for Hearing) you will be notified of the hearing date to decide the issues.
- ☐ Form #58a Complete and sign. Mail copy to spouse.
- ☐ Form #58b Complete and sign. Mail copy to spouse. **You may file either #58a or #58b, or both, with the Clerk of Court. The choice is yours.**

## III. HEARING ON CONTESTED ISSUES:

If a hearing was requested and the Court has set a date for a hearing on the contested issues, please read the following:

You have chosen to represent yourself. Arrive at the courthouse early. While divorce can be very difficult and emotional, the Court expects the parties to be civil and remain focused on the legal issues.

#### STEP 8. -- Court Hearing - on Contested Issues.

Be prepared to present evidence to the Court and discuss your position.

## **IV. HEARING ON FINAL DECREE:**

### **STEP 9. -- Court Hearing - Final Decree - Non-contested.**

You have reached an agreement with your spouse and he/she has signed the Marital and Property Settlement Agreement and he/she consented to the entry of the final decree (Document #41a or 57a, page 7). Both parties can attend the hearing on the final decree, but it is NOT NECESSARY. Only one party must attend. If you decide you will attend the hearing, you should be prepared to answer any questions asked of you by the Judge.

- ☐ Form #59      If you do not want to attend the hearing on the Final Decree, complete and sign Form 59 in front of a notary public. Make 2 copies. File original with the Clerk of Court. Mail or deliver one copy to your spouse. You will be sent a Notice of Entry of Final Decree once the hearing is held.

### **STEP 10. -- Court Hearing - Final Decree - Contested.**

By this time, a hearing has been held on the contested issues, and the Court has made a decision. The last step remaining is a hearing on the final decree. Both parties can attend the hearing on the final decree, but it is NOT NECESSARY. If you decide you will attend the hearing, you should be prepared to answer any questions asked of you by the Judge.

- ☐ Form #59      If you do not want to attend the hearing on the Final Decree, complete and sign Form 59 in front of a notary public. Make 2 copies. File original with the Clerk of Court. Mail or deliver one copy to your spouse.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

**AFFIDAVIT OF INABILITY TO  
PAY FILING FEES AND OTHER  
COSTS AND ORDER**

**[ANSWER ALL QUESTIONS. USE N/A IF NOT APPLIABLE.]**

**[NOTE TO CLERK: REMOVE FINAL PAGE AFTER JUDGE SIGNS AND FILE ORDER  
SEPARATELY]**

STATE OF MONTANA )

:ss.

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, being first duly sworn, depose and say: That I have a good cause of action or defense but am unable to pay the costs or get security to secure the cause of action or defense. I request the court to waive the costs and approve indigence status. I declare the following:

**I. PERSONAL INFORMATION**

I am the \_\_\_\_\_ Plaintiff, \_\_\_\_\_ Petitioner or  
\_\_\_\_\_ Defendant, \_\_\_\_\_ Respondent in the above proceeding.

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Birth date \_\_\_\_\_ Age \_\_\_\_\_ SSN \_\_\_\_\_

Employed: Yes \_\_\_\_\_ No \_\_\_\_\_ Self Employed: Yes \_\_\_\_\_ No \_\_\_\_\_ Hourly Wage \$ \_\_\_\_\_

Employer's name and address \_\_\_\_\_

Type of employment \_\_\_\_\_ Length of current employment \_\_\_\_\_

If unemployed:

Month/Year last employed \_\_\_\_\_ Last hourly wage \$ \_\_\_\_\_

Why did you leave your last employment? \_\_\_\_\_

Single \_\_\_\_\_ Married \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_

Are persons dependent on you for support? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, list each person and that person's age and relationship to you:

\_\_\_\_\_  
\_\_\_\_\_

Spouse's: name \_\_\_\_\_

Spouse's: birth date \_\_\_\_\_ Age \_\_\_\_\_ SSN \_\_\_\_\_

Spouse's employer and address \_\_\_\_\_

Are you sharing expenses with anyone? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

Are you sharing income with anyone? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

## II. INCOME

Income available:

My wages or salary \$ \_\_\_\_\_ AFDC \$ \_\_\_\_\_

Other wages or salary \$ \_\_\_\_\_ SSI \$ \_\_\_\_\_

Unemployment \$ \_\_\_\_\_ Worker's Comp \$ \_\_\_\_\_

Food Stamps \$ \_\_\_\_\_ Medicaid \$ \_\_\_\_\_

Pension \$ \_\_\_\_\_ Retirement \$ \_\_\_\_\_

Child Support \$ \_\_\_\_\_ Other income \$ \_\_\_\_\_

Total household income:

Last month \$ \_\_\_\_\_ Previous 12 months \$ \_\_\_\_\_

### III. ASSETS

Do you or your spouse own or are you or your spouse buying any motor vehicles?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, Year, make and model of vehicle(s):

\_\_\_\_\_  
\_\_\_\_\_

Is/are vehicle(s) paid for? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, how much do you or your spouse owe? \$ \_\_\_\_\_

Do you or your spouse own or are you or your spouse buying any land or other real estate?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, what is the approximate current market value? \$ \_\_\_\_\_

What was the purchase price? \$ \_\_\_\_\_

Do you or your spouse have:

Checking accounts? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, total amount \$ \_\_\_\_\_

Savings accounts? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, total amount \$ \_\_\_\_\_

List the banks where the accounts are held: \_\_\_\_\_

\_\_\_\_\_

Do you or your spouse have stocks or bonds? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the total amount of the stocks and bonds? \$ \_\_\_\_\_

Do you or your spouse have wages due but not received? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, list total amount \$ \_\_\_\_\_

Is there money owed to you or your spouse? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, total amount owed to you or your spouse \$ \_\_\_\_\_

\_\_\_\_\_

Value of your or your spouse's personal property:

Sporting Equipment \$ \_\_\_\_\_

Guns \$ \_\_\_\_\_

Boats \$ \_\_\_\_\_

Trailers \$ \_\_\_\_\_

Campers \$ \_\_\_\_\_

Tools \$ \_\_\_\_\_

Stereos \$ \_\_\_\_\_

TVs \$ \_\_\_\_\_

Furniture \$ \_\_\_\_\_

Appliances \$ \_\_\_\_\_

Other personal property \$ \_\_\_\_\_



Describe and value other personal property you or your spouse own or are buying:

Do you or your spouse have in your possession or in your house any property worth over \$200 that belongs to another person? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes:

Type of property: \_\_\_\_\_

Value of property \$ \_\_\_\_\_

Name of owner of property: \_\_\_\_\_

Reason the property is in your possession: \_\_\_\_\_

#### IV. MONTHLY EXPENSES

List your or your spouse's monthly expenses:

Rent or house payment \$ \_\_\_\_\_

Clothes \$ \_\_\_\_\_

Miscellaneous items (List each item) \$ \_\_\_\_\_

#### V. OBLIGATIONS/DEBTS

Do you or your spouse have any debts or obligations that you owe? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe the debts or obligations and list the amounts:

Have you sold, given away, or put in the name of another person or entity, or otherwise transferred any property of a value of \$200 within the preceding 12 months? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe the property:

Value of property \$ \_\_\_\_\_

Name(s) to whom you transferred property: \_\_\_\_\_

Reason for transfer of property: \_\_\_\_\_

**Please check one of the following and complete all information:**

\_\_\_\_\_ I have paid or will pay a total of \$\_\_\_\_\_ for the preparation or processing of the documents or blank forms that will be filed in this entire case (from the beginning of the case to the end of the case) and agree that an equal amount is to be paid to the Clerk of District Court at the time of the entry of decree or final judgment in this case.

**Or**

\_\_\_\_\_ I prepared all of the pleadings and papers to be filed in this case myself, and no one has been, or will be, paid on my behalf. I have not paid anyone or any organization for the preparation and processing of these documents or for the forms to be used in this case.

I further declare that I am the person above named, that I have read the foregoing questions and information and know the same to be true to the best of my knowledge, and that IF ANY PART OF THE ABOVE IS MADE FALSELY, I AM SUBJECT TO PROSECUTION FOR PERJURY.

\_\_\_\_\_  
(Signature of Affiant)

**SUBSCRIBED AND SWORN TO** before me, a notary public, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

(SEAL)

\_\_\_\_\_  
Notary Public for the State of Montana  
(print name)  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Hon. \_\_\_\_\_  
Fourth Judicial District  
Missoula County Courthouse  
200 West Broadway  
Missoula, Montana 59802  
(406) 258-4780  
Fax (406) 258-4899

FORM #54

**MONTANA FOURTH JUDICIAL DISTRICT COURT,  
MISSOULA COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner,  
and  
\_\_\_\_\_,  
Respondent.

Dept. No.  
Cause No.: DR-

**ORDER ON INABILITY TO  
PAY FILING FEES AND  
OTHER COSTS**

Having considered the information contained in [Petitioner's] [Respondent's] Affidavit of Inability to Pay Filing Fees and Other Costs, IT IS HEREBY ORDERED that, pursuant to §25-10-404, MCA et seq., all officers of the Court shall perform all services associated with this action, including filing, issuance and service of all pleadings and Court orders, without demanding or receiving fees in advance. Leave to file the Petition expires thirty (30) days from the date of this Order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

\_\_\_\_\_  
Name

FORM #55

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

<p>In re the Marriage of:</p> <p>_____,</p> <p>Petitioner,</p> <p>and</p> <p>_____,</p> <p>Respondent.</p>	<p>Cause No.: _____</p> <p>Department No.: _____</p> <p><b>RESPONSE TO PETITION FOR DISSOLUTION (WITHOUT CHILDREN)</b></p>
--	--

The Respondent respectfully submits the following Response to Petition for Dissolution:

Paragraph #	Agree	Disagree	Reason for disagreeing:
1 - Petitioner Info			
2 - Respondent Info			
3 - Date & Place of Marriage			

Paragraph #	Agree	Disagree	Reason for disagreeing:
4 - Separation			
5 - Jurisdiction			
6 - Children of Marriage			
7 - Pregnancy			
8 - Preliminary Disclosure			
9 - Real Property			
10 - Vehicles			
11 - Personal Property			
12 - Debts			
13 - Wife's former name			

Paragraph #	Agree	Disagree	Reason for disagreeing:
14 - Other Provisions			

WHEREFORE, the Respondent prays as follows:

1. That the marriage of the parties be dissolved;
2. That the real and personal property accumulated by the parties during the marriage be equitably distributed;
3. That the bills, debts and obligations accumulated by the parties during the marriage be equitably distributed;
4. For such other and further suitable arrangements as the Court may deem just and proper under the circumstances.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Respondent, Pro Se

STATE OF MONTANA                     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn on oath, says that he/she is the Respondent in the above-entitled proceeding; that he/she has read the foregoing Response and knows the contents thereof; and that the matter, facts and things stated therein are true to the best of his/her knowledge and belief.

\_\_\_\_\_  
Respondent, Pro Se

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

## CERTIFICATE OF SERVICE

I, the undersigned, certify that I served the Response to Petition for Dissolution (Without Children) on the following person this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

[ ] depositing the same in the U.S. Mail with postage pre-paid;

or

☐ personally delivering this document to the following person.

(Insert Name \_\_\_\_\_  
and Address \_\_\_\_\_  
of Petitioner) \_\_\_\_\_

Signature of Respondent *Pro se*

\_\_\_\_\_  
Name

FORM #56a

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

**RESPONDENT'S PRELIMINARY  
DECLARATION OF DISCLOSURE  
OF ASSETS, DEBTS, INCOME,  
AND EXPENSES**

**\*\*WARNING:** Montana law requires the full disclosure of all assets, debts, income and expenses. Failure of either party to file a complete financial disclosure statement shall authorize the Court to accept the statement of the other party as accurate. Any deliberately false statement made hereon or on any schedules or attachments may subject you to the penalty of perjury or other appropriate relief and may be considered a fraud upon the Court.

*If you need additional space on which to list your assets, debts, income or expenses, please attach additional sheets of paper as necessary. Do not write in the margins or on the reverse sides of the pages of this document.*

**IT IS MANDATORY TO SEND THIS DOCUMENT TO THE OTHER PARTY. IT IS OPTIONAL TO FILE THIS DOCUMENT WITH THE COURT. IF YOU PREFER TO HAVE THIS DOCUMENT IN THE COURT RECORD, FILE IT WITH THE CLERK OF COURT. IF YOU DO NOT FILE THIS DOCUMENT WITH THE CLERK OF COURT, FILE A "NOTICE OF SERVICE OF PRELIMINARY DECLARATION OF DISCLOSURE."**

**DISCLOSURE OF ASSETS**



REAL ESTATE	Estimated Value	Name(s) on Title
Address: _____ Legal Desc: _____ Secured Debt: Yes / No Amount: _____ Lender: _____		
Address: _____ Legal Desc: _____ Secured Debt: Yes / No Amount: _____ Lender: _____		

VEHICLES / RECREATIONAL VEHICLES	Estimated Value	Name(s) on Title
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		

BANK ACCOUNTS / CASH	Balance as of ____ / ____ / ____	Name(s) on Account
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		

PENSIONS, RETIREMENT, LIFE INSURANCE, STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS	Balance as of ____ / ____ / ____	Name(s) on Account
Description:		
Description:		
Description:		

PERSONAL PROPERTY (including appliances, furniture, jewelry, art, guns, etc.)	Estimated Value


BUSINESS INTERESTS (including equipment, tools, livestock, etc.)	Est.Value

OTHER ASSETS	Est.Value


### **DISCLOSURE OF DEBTS**

Any mortgages or secured debts should be listed with the real estate above.

Any vehicle loans should be listed with the vehicles above.

(List amounts owing for credit cards, utility bills, medical expenses, etc.)

Creditor	Description	Amount	Name on Debt

### **DISCLOSURE OF INCOME**

☐ WIFE   ☐ HUSBAND

Source of Income	Amt/Month	Source of Income	Amt/Month
Wages, Salary, Commissions		Food Stamps	
Rents, Interests, Dividends		Pension, Retirement	
Self Employment Earnings		Child Support	
Unemployment / Wk. Comp.		Dependent's Benefits	
Soc. Sec. Benefits / SSI		Other:	

Public Assistance			

**DISCLOSURE OF EXPENSES**

**[   ] WIFE   [   ] HUSBAND**

Description of Expense	Amt/Month		Description of Expense	Amt/Month
Taxes, etc. withheld from income			Property Insurance	
Retirement			Transportation	
Health Insurance			Car Insurance	
Medical Expenses			Student Loans	
Housing (rent or mortgage)			Utilities	
Property Taxes			Telephone	
Clothing			Food/Household Supplies	
Child Care			Child Support Payments	
Other:				

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Respondent *Pro se*

STATE OF MONTANA )

:SS

COUNTY OF \_\_\_\_\_)

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Name (printed)\_\_\_\_\_

Notary Public for the State of Montana

Residing at:\_\_\_\_\_

My Commission Expires:\_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I served the Preliminary Declaration of Disclosure on the  
following person this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

[ ☐ ] depositing the same in the U.S. Mail with postage pre-paid;

or

[ ☐ ] personally delivering this document to the following person.

(Insert Name

and Address

of Petitioner)

\_\_\_\_\_  
Signature of Respondent *Pro se*

\_\_\_\_\_  
Name

FORM #56b

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

**RESPONDENT'S NOTICE OF  
SERVICE OF PRELIMINARY  
DECLARATION OF  
DISCLOSURE OF ASSETS,  
DEBTS, INCOME, AND  
EXPENSES**

Under penalty of perjury, I, the undersigned, certify that I served the Preliminary Declaration of Disclosure on the following person the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

[ ☐ ] depositing the same in the U.S. Mail with postage pre-paid;  
or

[ ☐ ] personally delivering this document to the following person.

(Insert Name  
and Address  
of Petitioner)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

<p>In re the Marriage of:</p> <p>_____,</p> <p style="text-align: center;">Petitioner,</p> <p>and</p> <p>_____,</p> <p style="text-align: center;">Respondent.</p>	<p>Cause No.: _____</p> <p>Department No.: _____</p> <p style="text-align: center;"><b>MARITAL AND PROPERTY SETTLEMENT AGREEMENT</b></p>
--	---

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, hereinafter referred to as "Husband," and \_\_\_\_\_, hereinafter referred to as "Wife."

**RECITALS**

A. Husband and Wife were married on \_\_\_\_\_, in \_\_\_\_\_ County, \_\_\_\_\_.



- B. ☐ No children have been born as a result of this marriage.  
or  
☐ There have been \_\_\_\_\_ children born as issue of the parties' marriage:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
DOB: \_\_\_\_\_  
DOB: \_\_\_\_\_  
DOB: \_\_\_\_\_  
DOB: \_\_\_\_\_
- C. ☐ Wife is not now pregnant.  
☐ Wife is now pregnant, due date: \_\_\_\_\_
- D. A proceeding for Dissolution of Marriage is now pending in the District Court of the Fourth Judicial District in the State of Montana, in and for the County of Missoula under Cause No. \_\_\_\_\_.
- E. The parties' marriage is irretrievably broken in that there is serious marital discord which adversely affects the attitude of one or both of the parties toward the marriage, and there is no reasonable prospect of reconciliation. Husband and Wife intend, through this Agreement, to accomplish a just settlement of their respective property rights, apportion marital liabilities, and set forth their respective rights, duties and obligations arising out of the dissolution of their marriage.
- F. ☐ Wife has been represented by \_\_\_\_\_.  
☐ Husband has been represented by \_\_\_\_\_.  
☐ Wife ☐ Husband has/have not been formally represented by an attorney.
- G. An Order of Protection ☐ has been filed ☐ has not been filed. The Order of Protection should ☐ stay in effect ☐ be dissolved.

## AGREEMENT

For and in consideration of the mutual covenants contained herein, Husband and Wife agree as follows:

1. **DIVISION OF ASSETS.** Property belonging to the parties on the date of marriage shall remain their separate property. The parties acknowledge that they have acquired or maintained various items of personal and intangible property during the course of their marriage which has been equitably distributed between them. Each party shall retain ownership and possession of the personal property items in their separate possession and shall assume the debt against those personal property items. The equitable division of the assets and liabilities is as follows:

**HUSBAND – ASSETS**

Description	Value
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____
I. _____	_____
J. _____	_____
K. _____	_____
<b>TOTAL ASSETS</b>	<b>\$ _____</b>

**WIFE – ASSETS**

Description	Value
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____

I. \_\_\_\_\_  
J. \_\_\_\_\_  
K. \_\_\_\_\_

**TOTAL ASSETS** \$ \_\_\_\_\_

**HUSBAND – LIABILITIES**

Description	Amount
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____
I. _____	_____

**TOTAL LIABILITIES** \$ \_\_\_\_\_

**WIFE – LIABILITIES**

Description	Amount
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____
I. _____	_____

**TOTAL LIABILITIES** \$ \_\_\_\_\_

Special Arrangements / Agreements: \_\_\_\_\_

---

---

2. **APPORTIONMENT OF LIABILITIES.** Unless otherwise specified, each party agrees to be solely responsible for the liabilities associated with each asset awarded to such party as provided in Section 1 hereof and any other debt in their separate names.
3. **FULL DISCLOSURE AND WAIVER OF FORMAL DISCOVERY.** The parties have accurately, fully, and completely disclosed to each other all income, assets, and liabilities of which they are aware. The parties acknowledge any deliberate failure to provide complete disclosure may be a basis to set aside this Agreement and any Decree incorporating this Agreement. The property referred to in this Agreement represents all of the property in which either party has an interest.
4. **MAINTENANCE.** Both parties acknowledge that they are able to support themselves from their earnings and the assets which have been awarded to them. Accordingly, both parties waive any claim to maintenance from the other party. Husband and Wife agree to accept, in lieu of maintenance, the distribution of property as set forth in Section one (1) above. Each of the parties agree that the assignment and distribution of property as set forth above is fair and adequate.
5. **ATTORNEY'S FEES.** Each party shall remain solely liable for all attorney's fees and costs incurred by that party in connection with the dissolution proceedings, through the date of entry of a Decree of Dissolution approving this Agreement. In the event that either party thereafter shall find it necessary to retain an attorney and/or institute legal proceedings to enforce, modify or interpret any provision of this Agreement, or the Final Decree of Dissolution entered in conformity herewith, the Court may award reasonable attorney's fees and costs to the prevailing party, in addition to any other appropriate relief.
6. **MUTUAL RELEASE.** In consideration of the execution of this Agreement and its terms and conditions, each party releases and forever discharges the other party, his or her personal representatives and assigns, from any and all rights, claim, demand, or obligation at any time hereafter for any purpose. Each of the parties waives all rights of inheritance in the estate of the other and any right to act as personal representative of the will or estate of the other party. Each of the parties hereby

waives the right to claim or receive any family allowance, exempt property allowance or homestead allowance from the estate of the other party. Each party waives any and all additional rights which he or she has or may have by reason of the parties' marriage, including rights of dower and curtesy, except as otherwise specifically provided herein.

7. **ENFORCEMENT OF AGREEMENT.** This Agreement shall be made an integral part of any Decree of Dissolution of marriage of the parties, and shall be enforceable through execution, contempt citation, or any other remedy or procedure provided by law.
8. **FUTURE INSTRUMENTS.** Each party agrees to execute any and all documents which are now necessary or which may become necessary in the future to carry into full force and effect the terms and conditions of this Agreement.
9. **VOLUNTARY AGREEMENT.** This Agreement is voluntary. Each party has read and approved the same in its entirety. Neither party is acting under duress, menace, fraud, or undue influence in the execution of this Agreement.
10. **MODIFICATION.** Except as provided under Montana law, this Agreement, and the Decree of Dissolution to be entered in conformity herewith, may not be modified or amended without the express written consent, duly executed, of both parties.
11. **ENTIRE UNDERSTANDING.** This Agreement contains the entire understanding of the parties. There are no promises, understandings, agreements, or representations between the parties other than those expressly set forth in this Agreement.
12. **BINDING NATURE OF AGREEMENT.** This Agreement shall inure to the benefit of and be binding upon the heirs, successors, executors, administrators, personal representatives, and assigns of the parties.
13. **PARENTING OUR CHILDREN.** If not applicable - check here [ ]

We have provided for our mutual parenting of our children in the Parenting Plan proposed by the [ ] Husband [ ] Wife filed before this Court and incorporated into this Agreement.

14. **CHILD SUPPORT. If not applicable - check here** ☐
- ☐ Husband agrees to pay to Wife for the support of their children  
---- OR ----  
☐ Wife agrees to pay to Husband for the support of their children

the sum of \$\_\_\_\_\_ per month per child, to be paid directly to:

☐ The Other Party ☐ The Clerk of District Court  
and shall be due and payable on the \_\_\_\_\_ day of each month, commencing on \_\_\_\_\_, 20\_\_\_\_. Child support should continue for the children until they reach the age of 18, or graduate from high school (continuous enrollment presumed), whichever last occurs, or until the children are otherwise emancipated, but in no event beyond their 19th birthday.

The amount specified herein:

- ☐ is in accordance with the Montana Child Support Guidelines.  
☐ varies from the Montana Child Support Guidelines, because \_\_\_\_\_

\_\_\_\_\_  
(Attach the calculations done according to the Montana Child Support Guidelines.)

15. **INCOME TAX DEPENDENT DEDUCTIONS.**  
**If not applicable check here** ☐

- ☐ Husband shall be entitled to claim \_\_\_\_\_ as a dependent for state and federal income tax purposes (as long as he is current with his child support obligations).
- ☐ Wife shall be entitled to claim \_\_\_\_\_ as a dependent for state and federal income tax purposes (as long as she is current with her child support obligations).
- ☐ Husband/Wife shall be entitled to claim \_\_\_\_\_ in alternate tax years, beginning \_\_\_\_\_.

16. **INSURANCE. If not applicable - check here** ☐

- ☐ Husband shall provide health insurance for the children, including medical, dental, ocular, orthodontic, counseling, or other health care expenses.
- ☐ Wife shall provide health insurance for the children, including medical,

dental, ocular, orthodontic, counseling, or other health care expenses.

- [ ] Any reasonable necessary medical expenses which are not covered by insurance shall be paid \_\_\_\_\_% by Husband and \_\_\_\_\_% by Wife.
- [ ] No health insurance is available through either parties' employment or the income and resources of the parties do not permit the purchase of such insurance. Any health care expenses incurred by the children will be divided between the parents in the same proportion as child support is apportioned between the parties under the Montana Child Support Guidelines, at present being in the proportion of Husband \_\_\_\_\_%, Wife \_\_\_\_\_%.

**CONSENT TO ENTRY OF DECREE:**

Both parties consent to the entry of the Decree of Dissolution by the Fourth Judicial District Court, Missoula County, Missoula, Montana.

**EFFECTIVE DATE.**

This Agreement shall become effective and enforceable immediately upon the execution hereof by both parties.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
HUSBAND

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WIFE

STATE OF MONTANA            )  
  :SS  
COUNTY OF \_\_\_\_\_ )

          This instrument was acknowledged before me on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA            )  
  :SS  
COUNTY OF \_\_\_\_\_ )

          This instrument was acknowledged before me on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

<p>In re the Marriage of:</p> <p>_____, Petitioner,</p> <p>and</p> <p>_____, Respondent.</p>	<p>Cause No.: _____</p> <p>Department No.: _____</p> <p style="text-align: center;"><b>STATUS REPORT TO THE COURT AND REQUEST FOR COURT ACTION</b></p>
--	--

The Respondent, \_\_\_\_\_, appearing Pro Se, provides this Status Report to the Court regarding issues of the divorce/parenting plan, and whether the parties are in agreement or disagreement, as follows:

1. Parenting Plan (Choose One):

\_\_\_\_\_ Parents disagree

\_\_\_\_\_ Parents agree. Original signed agreement is attached to this Status Report.

\_\_\_\_\_ Parents plan to use a service or mediator or other person to assist them in trying to reach agreement. The parties are using the following service/person to assist them:

\_\_\_\_\_ Community Dispute Resolution Service (543-1157)

\_\_\_\_\_ Families First Parenting Consultation (721-7690)

\_\_\_\_\_ (name of private mediator)

\_\_\_\_\_ (other individual or service)

2. Child Support (Choose One):

\_\_\_\_\_ Child Support has already been calculated and ordered by Child Support Enforcement Division. A copy of that order is attached to this Status Report.

\_\_\_\_\_ Parents agree that the attached calculations should be adopted by the Court and incorporated into a Final Child Support and Medical Support Order.

\_\_\_\_\_ Parties are not in agreement on child support.

3. Division of property, vehicles, assets, and debts (Choose One):

\_\_\_\_\_ Parties disagree

\_\_\_\_\_ Parties agree. Original signed agreement is attached to this Status Report.

\_\_\_\_\_ Parties plan to use a service or mediator or other person to assist them in trying to reach agreement. The parties are using the following service/person to assist them:

\_\_\_\_\_

4. Respondent requests that the Court Order the parties to participate in mediation to attempt to resolve outstanding issues through the following services:

\_\_\_\_\_ Community Dispute Resolution Service (543-1157)

\_\_\_\_\_ Families First Parenting Consultation (721-7690)

\_\_\_\_\_ (private mediator)

\_\_\_\_\_ (other individual or service)

5. Respondent asks that the Court not order mediation based on a history of violence and/or intimidation in the relationship.

\_\_\_\_\_ There is a current order of protection in effect

\_\_\_\_\_ There is no current order of protection in effect

6. Next step in court process (Choose One):

\_\_\_\_\_ Because the parties cannot agree on one or more significant issue, Respondent requests that the Court schedule an intervention conference or hearing.

\_\_\_\_\_ Parties have resolved all of the issues as indicated in this Status Report, and Respondent will submit a Request for Hearing form to the Court to schedule an uncontested final hearing.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Respondent *Pro se*

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I served the Status Report to the Court on the following person this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

[    ] depositing the same in the U.S. Mail with postage pre-paid;

or

[    ] personally delivering this document to the following person.

(Insert Name  
and Address  
of Petitioner)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Respondent *Pro se*

\_\_\_\_\_  
Name

FORM #58a

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

**RESPONDENT'S FINAL  
DECLARATION OF  
DISCLOSURE OF ASSETS,  
DEBTS, INCOME, AND  
EXPENSES**

**\*\*WARNING:** Montana law requires the full disclosure of all assets, debts, income and expenses. Failure of either party to file a complete financial disclosure statement shall authorize the Court to accept the statement of the other party as accurate. Any deliberately false statement made hereon or on any schedules or attachments may subject you to the penalty of perjury or other appropriate relief and may be considered a fraud upon the Court.

*If you need additional space on which to list your assets, debts, income or expenses, please attach additional sheets of paper as necessary. Do not write in the margins or on the reverse sides of the pages of this document.*

**IT IS MANDATORY TO SEND THIS DOCUMENT TO THE OTHER PARTY NO LATER THAN 45 DAYS BEFORE THE FIRST ASSIGNED TRIAL DATE. IT IS OPTIONAL TO FILE THIS DOCUMENT WITH THE COURT. IF YOU PREFER TO HAVE THIS DOCUMENT IN THE COURT RECORD, FILE IT WITH THE CLERK OF COURT. IF YOU DO NOT FILE THIS DOCUMENT WITH THE CLERK OF COURT, FILE A *"NOTICE OF SERVICE OF FINAL DECLARATION OF DISCLOSURE."***

**DISCLOSURE OF ASSETS**

REAL ESTATE	Estimated Value	Name(s) on Title
Address: _____ Legal Desc: _____ Secured Debt: Yes / No Amount: _____ Lender: _____		
Address: _____ Legal Desc: _____ Secured Debt: Yes / No Amount: _____ Lender: _____		

VEHICLES / RECREATIONAL VEHICLES	Estimated Value	Name(s) on Title
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		

VEHICLES / RECREATIONAL VEHICLES	Estimated Value	Name(s) on Title
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		
Year/Make/Model: _____ VIN#: _____ Loan on Vehicle: Yes / No Amount: _____ Lender: _____		

BANK ACCOUNTS / CASH	Balance as of ____ / ____ / ____	Name(s) on Account
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		
Name of Bank: _____ Account # _____ _____ Savings _____ Checking _____ Cert of Dep.		

PENSIONS, RETIREMENT, LIFE INSURANCE, STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS	Balance as of ____ / ____ / ____	Name(s) on Account
Description:		
Description:		

PENSIONS, RETIREMENT, LIFE INSURANCE, STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS	Balance as of ____ / ____ / ____	Name(s) on Account
Description:		

PERSONAL PROPERTY (including appliances, furniture, jewelry, art, guns, etc.)	Estimated Value

BUSINESS INTERESTS (including equipment, tools, livestock, etc.)	Est. Value




OTHER ASSETS	Est. Value

### **DISCLOSURE OF DEBTS**

Any mortgages or secured debts should be listed with the real estate above.  
Any vehicle loans should be listed with the vehicles above.

(List amounts owing for credit cards, utility bills, medical expenses, etc.)

Creditor	Description	Amount	Name on Debt

### **DISCLOSURE OF INCOME**

**[   ]   WIFE   [   ]   HUSBAND**

Source of Income	Amt/Month	Source of Income	Amt/Month
Wages, Salary, Commissions		Food Stamps	

Rents, Interests, Dividends	
Self Employment Earnings	
Unemployment / Wk. Comp.	
Soc. Sec. Benefits / SSI	
Public Assistance	

Pension, Retirement	
Child Support	
Dependent's Benefits	
Other:	

**DISCLOSURE OF EXPENSES**  
**[   ] WIFE   [   ] HUSBAND**

Description of Expense	Amt/Month
Taxes, etc. withheld from income	
Retirement	
Health Insurance	
Medical Expenses	
Housing (rent or mortgage)	
Property Taxes	
Clothing	
Child Care	
Other:	

Description of Expense	Amt/Month
Property Insurance	
Transportation	
Car Insurance	
Student Loans	
Utilities	
Telephone	
Food/Household Supplies	
Child Support Payments	

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Respondent *Pro se*

STATE OF MONTANA            )  
  :SS.  
COUNTY OF \_\_\_\_\_ )

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Name (printed)\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at:\_\_\_\_\_  
My Commission Expires:\_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I served the Final Declaration of Disclosure  
on the following person this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by:

[    ] depositing the same in the U.S. Mail with postage pre-paid;

or

[    ] personally delivering this document to the following person.

(Insert Name  
and Address  
of Petitioner)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Respondent *Pro se*

\_\_\_\_\_  
Name

FORM #58b

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**RESPONDENT'S NOTICE OF  
SERVING FINAL  
DECLARATION OF  
DISCLOSURE STATEMENT**

Respondent has served upon Petitioner a Final Declaration of Disclosure which sets forth the identity of all assets in which Respondent has or may have an interest, to the best of his/her knowledge and belief, regardless of the characterization of the asset. These assets include, but are not limited to, any real and personal property in which Respondent has any interest, regardless of its nature or however or whenever it was acquired; whether the property is tangible or

intangible; whether it is currently existing or contingent; and whether title is in the name of the Respondent, the Petitioner, or both.

To the best of Respondent's knowledge and belief, the listing of liabilities set forth in the Final Declaration identifies all of the liabilities for which the Respondent may be responsible, regardless of the characterization of the liability, with the possible exception of bills which are generally paid on a monthly basis. The listed liabilities include any debts for which Respondent is liable, regardless of however or whenever acquired, and whether the debt or obligation is currently existing or contingent. Those debts which encumber a particular property have also been identified in the Final Declaration.

The value of assets and liabilities as stated in the Final Declaration may fluctuate over time and the information provided sets forth value as of approximately (insert date) \_\_\_\_\_, 20\_\_\_\_, except where otherwise specifically noted.

Respondent's income and expenses are declared in the Final Declaration which sets forth the average projected monthly income and living expenses of Respondent. Respondent's expenses are estimated based upon historical information and estimates as to projections for the future. Expenses and income are anticipated to vary over time. Respondent anticipates that his/her income and/or

expenses may change due to distributions between parties resulting from the dissolution of their marriage, market fluctuations, possible changes in Respondent's employment or related income, and other potential factors.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Respondent *Pro se*

STATE OF MONTANA        )  
                                      :ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, upon his/her oath, deposes and states as follows:

I am the Respondent in the above entitled action for dissolution of marriage. I have read the Final Declaration of Disclosure and the Notice of Serving Final Declaration of Disclosure. The facts and matters contained therein are true, correct and complete to the best of my knowledge and belief and are intended to comply with the disclosure obligations required under Montana law.

\_\_\_\_\_  
Respondent *Pro se*

SUBSCRIBED and SWORN to me before this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

### CERTIFICATE OF SERVICE

I, the undersigned, certify that I served the Final Declaration of Disclosure on the following person this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

[    ] depositing the same in the U.S. Mail with postage pre-paid;

or

[    ] personally delivering this document to the following person.

(Insert Name  
and Address)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Respondent *Pro se*

\_\_\_\_\_  
Name

FORM #59

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

RESPONDENT PRO SE

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

In re the Marriage of:

Cause No.: \_\_\_\_\_

Department No.: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

**CONSENT TO ENTRY  
OF FINAL DECREE**

\_\_\_\_\_,  
Respondent.

The ☐ Wife ☐ Husband hereby consents to the entry of a Final Decree of Dissolution in the above-entitled case and waives his/her right to appear and testify at the final hearing on this matter. All outstanding issues between the parties have been resolved.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
☐ WIFE

\_\_\_\_\_  
☐ HUSBAND



State of Montana                    )  
  :ss  
County of \_\_\_\_\_ )

          This instrument was acknowledged before me on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_